

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KRISTOPHER DORR,

Plaintiff,

Case No. 10-13822

v.

SENIOR UNITED STATES DISTRICT JUDGE
ARTHUR J. TARNOW

FORD MOTOR COMPANY, ET AL.,

MAGISTRATE JUDGE LAURIE J. MICHELSON

Defendants.

/

ORDER DENYING PLAINTIFF'S OBJECTION [83]

Now before the Court is “Plaintiff’s Objection to granting of Summary Judgment and Motion for an Evidentiary Hearing.” As an “objection” is not the proper vehicle to challenge an order of this Court, the Court will construe Plaintiff’s Objection as a Motion for Reconsideration.

Local Rule 7.1(h)(3) provides that:

Generally, and without restricting the court’s discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

See Hansmann v. Fid. Invs. Institutional Servs. Co., 326 F.3d 760, 767 (6th Cir. 2003) (A motion for reconsideration is granted only “if the movant demonstrates that the district court and the parties have been misled by a palpable defect, and correcting the defect will result in a different disposition of the case”). “A ‘palpable defect’ is a defect which is obvious, clear, unmistakable, manifest or plain.” *Fleck v. Titan Tire Corp.*, 177 F. Supp. 2d 605, 624 (E.D. Mich. 2001) (internal citations omitted). “The decision whether to grant reconsideration lies largely within the discretion of the court.” *Yuba Natural Res., Inc. v. United States*, 904 F.2d 1577, 1583 (Fed. Cir. 1990).

In his motion, Plaintiff merely repeats the allegations and arguments set out in his complaint and objections to the Magistrate Judge's Order [74]. The Court previously rejected these arguments in its Order [81]. Plaintiff has not demonstrated any palpable defect in this Court's order.

Accordingly, **IT IS ORDERED** that Plaintiff's Motion for Reconsideration [83] is **DENIED**.

SO ORDERED.

s/Arthur J. Tarnow

Arthur J. Tarnow

Senior United States District Judge

Dated: December 8, 2011

CERTIFICATE OF SERVICE

I hereby certify on December 8, 2011 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on December 8, 2011: **Kristopher K. Dorr**.

s/Michael E. Lang

Deputy Clerk to

District Judge Arthur J. Tarnow

(313) 234-5182